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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/731,216 | 12/09/2003 | Timothy Carver Wikle | 50647/RVW/T522 | 4578 |

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| EXAMINER |
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RICHARDSON, JOHN A

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| ART UNIT | PAPER NUMBER |
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3641

DATE MAILED: 05/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,216

Applicant(s)

WIKLE ET AL.

Examiner

John Richardson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12-09-2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Non Final Rejection

1). The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2). Claims 1, 2, 5 to 9, 13 to 15, 17, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Vasquez et al (5,075,070).

The applicant's claims are directed to an apparatus per se for the indeed use of providing internal storage in the grip / handle (item 108) of a firearm. The reference discloses a firearm grip structure comprising a storage feature in the form a plurality storage volumes (see for example, Figure 19, and the volumes allocated to items 16, 100, 110, and these items are considered by the examiner to be comparable to a series of dry cell batteries), the said storage volume incorporates a plurality of step / shoulder details as shown for example in Figures 13, 19, 21 for housing components in the base frame item 104 that is integral to said gun handle item 108, each of the compartments housing items 16, 100, 110 share a common smooth / plain inside wall of the said base frame (item 108), the said items 16, 100, 110, are arranged longitudinally with respect to the said gun handle in decreasing sizes in accordance with claim 2, the said common

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wall reads on the claims 5, 13 limitations, and the said shoulder details read on claim 6, and relating to claims 7, 14, the said items 16, 100, 110 are arranged non-concentrically, relating to claim 8, the said shoulder details provide supporting features for the said items 16, 100, 110 and relating to claims 9, 15, the reference discloses that the said frame item 104 is fastened to the said handle item 108.

3). Claims 1 to 6, 8, 12, 13, 14, 17, 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayhak (4,970,819).

The applicant's claims are directed to an apparatus per se for the indeed use of providing internal storage in the grip / handle (item 12) of a firearm. The reference discloses a firearm grip structure comprising a storage feature in the form a plurality storage volumes (see for example, the volumes allocated to items 22, 24, 26, 27, and these items are considered by the examiner to be comparable to a series of cylindrical dry cell batteries in accordance with claims 3, 12, as depicted in the shading shown in the said Figure 1), the said storage volume incorporates a plurality of step / shoulder details as shown for example in Figure 1 for housing components in the gun handle (item 12) that is integral to said gun handle item 108, each of the compartments housing items 24, 26, share a common smooth / plain inside wall of the said handle (item 12), the said items 22, 24, 26, 27, are arranged longitudinally with respect to the said gun handle in decreasing sizes in accordance with claim 2, relating to claim 4, the reference

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discloses the said items 24, 26, 27 are arranged in a longitudinal configuration with decreasing size, the said common wall reads on the claims 5, 13 limitations, and the said shoulder / step details read on claim 6, relating to claim 8, the said shoulder / step details provide supporting features for the said items 22, 24, 26, 27.

4). Claims 1, 9 to 11, 15, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Chase (U.S. 2,298,678).

The reference discloses a gun handle / stock (item 2) with a plurality of stepped / shouldered cavities contained therein (see Figure 3 details) reading on the applicant's cited claims, the said handle is removably attached to the firearm (item 1) in accordance with cited claims 9, 15, and further comprises a hinged pull tab cover feature (item 5) detail with pivots / hinges as shown in Figures 3, 4, item 6, that read on the cited claims 10, 16

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5). The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6). Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Richardson whose telephone number is (703) 305 0764. The examiner can normally be reached on Monday to Thursday from 7.00 AM to 4.30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone, can be reached on (703) 306 4198. The fax phone number for the organization where this application or proceeding is assigned is (703) 305 7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 1113.

John Richardson, PE,

May 06 2005.


MICHAEL J. CARONE
SUPERVISORY PATENT EXAMINER